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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,264	11/29/1999	BRIAN D. LOUNSBERRY	15-XT-5197(7)	7392
7590	12/02/2005		EXAMINER	
PAUL S HUNTER FOLEY & LARDNER FIRSTAR CENTER 777 EAST WISCONSIN AVENUE MILWAUKEE, WI 532025367			LAU, TUNG S	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/450,264	LOUNSBERRY ET AL.	
	Examiner	Art Unit	
	Tung S. Lau	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 November 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Miesbauer et al. (U.S. Patent 6,212,256).

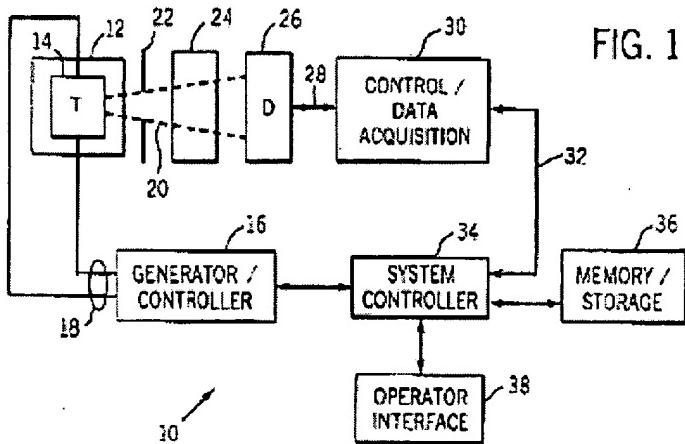
Regarding claim 1:

Miesbauer discloses a method for associating a field replaceable unit with a medical diagnostic system (abstract), the method comprising: querying for information on a field replaceable unit to be associated with a medical diagnostic system by sending a query to an electronic device associated with the field replaceable unit (Col. 2-3, Lines 31-7); receiving information on the field replaceable unit from the electronic device (fig. 6, unit 122, 124); and configuring the medical diagnostic system for use with the field replaceable unit (abstract) in accordance with the information (Col. 2-3, Lines 30-39).

Regarding claim 7:

Miesbauer discloses a method for associating a field replaceable unit with a medical diagnostic system (abstract), the method comprising: querying for

information on a field replaceable unit to be associated with a medical diagnostic system by sending a query to an electronic device associated with the field replaceable unit (abstract, fig. 6, unit 122-126); receiving identification information on the field replaceable unit from the electronic device (fig. 6, unit 122); receiving association information from a remote service facility (abstract); generating a subscription file based upon the association information (fig. 6, unit 130, 132), the subscription file including data uniquely identifying a field service unit a service subscription for the medical diagnostic system and storing the subscription file in a machine readable form (abstract, fig. 1, unit 30, 36); and configuring the medical diagnostic system for use with the filed replaceable unit (abstract) in accordance with the association information and identification information (Col. 2-3, Lines 30-39).

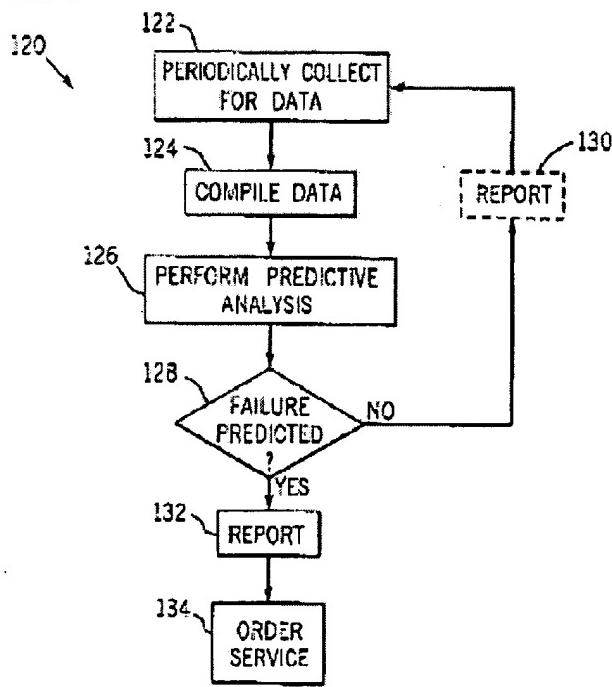


Regarding claim 11:

Miesbauer discloses an apparatus which provides for the association of a field replaceable unit to a medical diagnostic system and the recording of field

replaceable unit operational data (abstract), the apparatus comprising: a storage medium physically coupled to the field replaceable unit (fig. 1, unit 36), the storage medium-containing identification information for a field replaceable unit and a programmed digital processing circuit coupled to the storage medium (fig. 1, unit 12-34), the processing circuit being responsive to requests for identification information from the medical diagnostic system (Col. 2-3, Lines 30-21) and an operating system that configures the medical diagnostic system for use with the field replaceable unit in accordance with the identification information (abstract, Col. 2-3, Lines 30-39).

FIG. 6



Regarding claim 16:

Miesbauer discloses a system for associating a field replaceable unit with a medical diagnostic system (abstract), the system comprising: means for electronically querying for information on a field replaceable unit to be associated with a medical diagnostic system (fig. 1, unit 30, 36, fig. 6, unit 122-134); means for electronically receiving information on the field replaceable unit (abstract); and means for configuring the medical diagnostic system for use with the field replaceable unit (abstract) in accordance with the information (Col. 2-3, Lines 30-21).

Regarding claim 23:

Miesbauer discloses a method for configuring a field replaceable unit for a medical diagnostic system (abstract), the method comprising: providing a medical diagnostic system having a field replaceable unit; providing an electronic device associated with the field replaceable unit (abstract); providing a storage medium on the electronic device (fig. 1, unit 36), the storage medium containing identification information and characterization information related to the configuration of the medical diagnostic system for the operation of the field replaceable unit (Col. 2-3, Lines 30-22); querying for information on the field replaceable unit by sending a query to the electronic device associated with the field replaceable unit (fig. 6, unit 122-134); receiving identification information and characterization information on the field replaceable unit from the electronic device (fig. 6, unit 122); and configuring the medical diagnostic system for use

with the field replaceable unit (abstract) in accordance with the identification information and characterization information (Col. 2-3, Lines 30-22).

Regarding claim 2, Miesbauer further discloses the step of querying for information including sending a query to a memory circuit attached to the field replaceable unit (fig. 2, unit 64, 62, abstract); Regarding claim 3, Miesbauer further discloses information receiving identification information from the electronic device (abstract); Regarding claim 5, Miesbauer further discloses the step of receiving information further comprises receiving association information from a remote service facility, the association information providing data for the step of configuring the medical diagnostic system (Col. 2-3, Lines 30-21);

Regarding claim 6, Miesbauer further discloses the step of communicating operational data of the field replaceable unit to the remote service facility (abstract); Regarding claim 4, Miesbauer further discloses receiving association information from the electronic device, the association information providing data for the step of configuring the medical diagnostic system (Col. 2-3, Lines 30-21);

Regarding claim 9, Miesbauer further discloses the step of communicating operational data related to the field replaceable unit to the electronic device (fig. 6, unit 122-134); Regarding claim 10, Miesbauer further discloses the step of configuring the medical diagnostic system is in accordance with characteristic information regarding operation of an x-ray tube, the x-ray tube being the field replaceable unit (abstract); Regarding claim 8, Miesbauer further discloses generating a service request subject to a service subscription and verifying a

subscription file status based upon the service request (fig. 6, unit 132, 134, abstract); Regarding claim 12, Miesbauer further discloses a communication interface coupled to the medical diagnostic system, the communication interface being configured to allow communications between the medical diagnostic system and a remote facility via a network (abstract, fig. 1, unit 38); Regarding claim 13, Miesbauer further discloses including a record of the replaceable unit (Col. 8, Lines 37-64); Regarding claim 14, Miesbauer further discloses the storage medium contains characterization information related to the configuration of the medical diagnostic system for the operation of the field replaceable unit (Col. 8, Lines 37-64, fig. 1, unit 36, 38); Regarding claim 15, Miesbauer further discloses the storage medium is physically coupled to an x-ray tube, the x-ray tube being the field replaceable unit (fig. 1, unit 36, abstract, fig. 6, unit 122-132); Regarding claim 17, Miesbauer further discloses means attached to the field replaceable unit for storing association information regarding the field replaceable unit (fig. 1, unit 36, abstract); Regarding claim 18, Miesbauer further discloses means for recording operational information associated with the operation of the field service unit in the medical diagnostic system (fig. 6, unit 122-134); Regarding claim 19, Miesbauer further discloses means for interfacing with a remote facility via a communication network (abstract); Regarding claim 20, Miesbauer further discloses means for reconfiguring the medical diagnostic system in accordance with association information from the remote facility (abstract); Regarding claim 21, Miesbauer further discloses using network

(abstract); Regarding claim 22, Miesbauer further discloses the means for configuring the medical diagnostic system is in accordance with characteristic information regarding operation of an x-ray lube, the x-ray tube being the field replaceable unit (abstract, Col. 2-3, Lines 31-22).

Response to Arguments

2. Applicant's arguments filed on 11/16/2005 with respect to the amended claims have been considered but they are not persuasive.

A. Applicant argues in the arguments that the prior art does not show the 'for use with the field replaceable unit'; Miesbauer clearly discloses the information obtained can be 'use with the field replaceable unit' in abstract, Col. 2-3, Lines 31-22.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL



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